

DEPARTMENT OF WATER RESOURCES

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January 25, 2005

To: Potentially Interested Parties

Subject: Notice of Availability

Application for New License with Preliminary Draft Environmental Assessment
for California Department of Water Resources' Oroville Facilities (Federal
Energy Regulatory Commission Project No. 2100)

Pursuant to the Federal Energy Regulatory Commission's (FERC) regulations for a Major Project-Existing Dam, Title 18 CFR Section(s) 4.51 and 16.9, the Department of Water Resources of the State of California (DWR) has submitted to FERC an Application for New License for its Oroville Facilities (FERC Project No. 2100).¹ DWR is requesting from FERC timely issuance of a new 50-year license to replace the initial 50-year license issued to DWR that expires on January 31, 2007.

In accordance with these regulations, DWR is, through this letter, notifying potentially interested parties of the availability of the Application. Also pursuant to these regulations, a Public Notice will be published in local Oroville newspapers. The Public Notice will describe the process for public comment on the Application. Public portions of the Application are available at the following public reference file locations:

California Department of Water Resources
1416 Ninth Street, Room 525
Sacramento, California 95814
Hours of Operation:
Weekdays, Monday through Friday
(excluding federal and State holidays), 8 a.m. - 5 p.m.

Oroville Branch of the Butte County Library
1820 Mitchell Avenue
Oroville, California 95966
Hours of Operation (as of winter 2004):
Tuesday and Wednesday: 10 a.m. - 8 p.m.
Thursday: 2 p.m. - 6 p.m.
Friday: 10 a.m. - 5 p.m.
Saturday: 12 p.m. - 4 p.m.

In addition to these public reference file locations, DWR's relicensing website also contains the public portions of the Application, which can be downloaded and printed if desired. It can be accessed at <http://orovillereicensing.water.ca.gov>.

¹ The project was identified as the Feather River Project in the initial license. In 1962, DWR requested FERC rename the project as the Oroville Division, State Water Facilities. Although it used the new title initially, FERC also refers to the project as the Feather River Project. This application seeks to redesignate Project No. 2100 as the "Oroville Facilities".

The Application was developed pursuant to FERC's Alternative Licensing Procedures (ALP) which provide for an Applicant Prepared Environmental Assessment (APEA). DWR's request to use the ALP and prepare an APEA was approved by FERC on January 11, 2001. Consequently, Exhibit E of the application has been replaced by a Preliminary Draft Environmental Assessment (PDEA) that has been structured to facilitate meeting the requirements of the National Environmental Policy Act.

After receiving FERC approval to use the ALP, DWR launched one of the most extensive collaborative relicensing processes in the nation. Hundreds of meetings and thousands of hours were expended allowing Indian Tribes, state resource agencies, federal agencies, local governmental agencies, water agencies, private citizens, environmental interests, recreational interests, and citizen groups to participate in helping shape the Application. DWR provided over \$600,000 in direct contributions to assist Oroville governmental agencies, Indian Tribes, and environmental interests participating in the ALP. An additional \$3,000,000 was authorized for immediate local recreational improvements to document DWR's intent to address reasonable concerns raised through the collaborative process.

DWR used the extensive input from the collaborative process to identify relevant issues and the scope of analysis its Application should address. In addition, over 70 study plans were approved through the ALP and conducted by DWR to provide technical support for the Application, including the PDEA.

The intent of the ALP is also to provide a Settlement Agreement reached among the ALP participants which documents support for the Application, allows for treatment of non-FERC jurisdictional actions, and enhances the basic legal compliance of the Application with additional Applicant activities to be considered by FERC when issuing the new license. DWR and the ALP participants are engaged in the final phases of negotiation and hope to submit a Settlement Agreement supporting the Application in a timely manner.

Sincerely,



Raphael A. Torres, Executive Manager
Oroville Facilities Relicensing Program

Distribution List

cc: Mr. James Fargo
Federal Energy Regulatory Commission
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Federal Energy Regulatory Commission
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